

2013 DRAFTING REQUEST

Bill

Received: 2/8/2013 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Kathleen Vinehout (608) 266-8546 By/Representing: Joel Nilsestuen
May Contact: Drafter: fknepp
Subject: Real Estate - miscellaneous Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Vinehout@legis.wisconsin.gov
Carbon copy (CC) to: pam.kahler@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Add frac sanding contracts to real estate condition reports

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 2/12/2013			_____			
/P1	fknepp 2/27/2013	scalvin 2/26/2013	rschlue 2/26/2013	_____	sbasford 2/26/2013		
/1		scalvin 3/6/2013	jfrantze 3/6/2013	_____	mbarman 3/6/2013	sbasford 4/8/2013	

FE Sent For:

None
needed

<END>

2013 DRAFTING REQUEST

Bill

Received: **2/8/2013** Received By: **fknepp**
Wanted: **As time permits** Same as LRB:
For: **Kathleen Vinehout (608) 266-8546** By/Representing: **Joel Nilsestuen**
May Contact: Drafter: **fknepp**
Subject: **Real Estate - miscellaneous** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Vinehout@legis.wisconsin.gov**
Carbon copy (CC) to: **pam.kahler@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Add frac sanding contracts to real estate condition reports

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 2/12/2013			_____			
/P1	fknepp 2/27/2013	scalvin 2/26/2013	rschluet 2/26/2013	_____	sbasford 2/26/2013		
/1		scalvin 3/6/2013	jfrantze 3/6/2013	_____	mbarman 3/6/2013		

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: **2/8/2013** Received By: **fknepp**
Wanted: **As time permits** Same as LRB:
For: **Kathleen Vinehout (608) 266-8546** By/Representing: **Joel Nilsestuen**
May Contact: Drafter: **fknepp**
Subject: **Real Estate - miscellaneous** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Vinehout@legis.wisconsin.gov**
Carbon copy (CC) to: **pam.kahler@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Add frac sanding contracts to real estate condition reports

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 2/12/2013			_____			
/P1		scalvin 2/26/2013	rschluet 2/26/2013	_____	sbasford 2/26/2013		

FE Sent For:

*11 sac
03/06/2013*

Joel Nilsestuen *RS*

<END>

2013 DRAFTING REQUEST

Bill

Received: 2/8/2013 Received By: fknepp
 Wanted: As time permits Same as LRB:
 For: Kathleen Vinehout (608) 266-8546 By/Representing: Joel Nilsestuen
 May Contact: Drafter: fknepp
 Subject: Real Estate - miscellaneous Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Sen.Vinehout@legis.wisconsin.gov
 Carbon copy (CC) to: pam.kahler@legis.wisconsin.gov
 fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Add frac sanding contracts to real estate condition reports

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	fknepp	1/1 sac 02/20/2013	<i>(Handwritten circled '2/26/13')</i>	==			

FE Sent For:

<END>

Bill Request Form

Legislative Reference Bureau
One East Main Street, Suite 200
Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date ~~1/31/13~~ 2/4/13
Legislator, agency, or other person requesting this draft Sen. Vinehout
Person submitting request (name and phone number) Joel Nilsestuen, 6-8546
Persons to contact for questions about this draft (names and phone numbers) Same

Describe the problem, including any helpful examples. How do you want to solve the problem?
Please add an additional disclosure to the real estate disclosure form required in WisStat 709.03 concerning frac sand mining or contracts/options to mine frac sand on adjacent properties.

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2005 LRB-2345/1 or 2003 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES NO
If yes: Anyone who asks? YES NO
Any legislator? YES NO
Only the following persons _____

Do you consider this request urgent? YES NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?
YES



In 2-12-2013

PI
RML

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ^{gen act} relating to: disclosure of contracts for frac sand mining on
2 neighboring properties.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, owners selling residential real property must give prospective buyers a form, known as a real estate condition report, on which the owner discloses certain conditions of, and other information about, the real property of which the owner is aware. This bill requires an owner to disclose on the real estate condition report whether the owner has notice or knowledge of a contract, or an option to contract, that allows a person to mine frac sand on a neighboring property. Under the bill, frac sand is a type of industrial sand that can be used in deep well applications to prop open rock fissures and increase the flow rate of natural gas or oil.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 709.001 (2m) of the statutes is created to read:
4 709.001 (2m) "Frac sand" means a type of industrial sand that could be used
5 in deep well applications to prop open rock fissures and increase the flow rate of
6 natural gas or oil.

Knepp, Fern

From: Nilsestuen, Joel
Sent: Tuesday, February 26, 2013 5:45 PM
To: Knepp, Fern
Subject: LRB 1550

Fern,

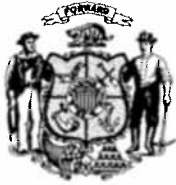
Yes, please do add a similar disclosure for vacant land under s. 709.033.

Great suggestions, thank you! --Joel

Joel Nilsestuen
Office of Sen. Kathleen Vinehout

PO Box 7882
Madison, WI 53707-7882

(608) 266-8546
Joel.Nilsestuen@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE

In 2-27-2013



LRB-1550(P1) / 7

FFK:sac:fs

JMK

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 Bill

for residential real property and as the vacant land disclosure report for vacant land

1 AN ACT ^{gen out} to create 709.03 (form) C. 25m. of the statutes; relating to: disclosure
2 of contracts for frac sand mining on neighboring properties.

^{or vacant land}
Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, owners selling residential real property must give prospective buyers a form, known as a real estate condition report, on which the owner discloses certain conditions of, and other information about, the real property of which the owner is aware. This bill requires an owner to disclose on the ~~real estate condition~~ report whether the owner has notice or knowledge of a contract, or an option to contract, that allows a person to mine frac sand on a neighboring property. ^{applicable}

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 709.03 (form) C. 25m. of the statutes is created to read:

4 709.03 (form)

5 C. 25m. I am aware of a contract, or an option to con-
6 tract, that allows a person to mine frac sand
7 on a neighboring property.

INS
2-1

****NOTE: Would you like a similar provision added to the real estate disclosure form for vacant land under s. 709.033?

SECTION 2. Nonstatutory provisions.

~~OR~~ AND VACANT LAND DISCLOSURE

(1) REAL ESTATE CONDITION ~~REPORT~~ ^S Notwithstanding section 709.035 of the statutes, the creation of section ~~709.03~~ ^S (form) C. 25m. ^{and 709.033 (form) C. 17m.} of the statutes does not require a property owner who has furnished to a prospective buyer of the property an original or amended real estate condition report before the effective date of this subsection to submit an amended real estate condition report with respect to the information required by section 709.03 (form) C. 25m. ^S ^{or 709.033 (form) C. 17m.} of the statutes, as created by this act.

SECTION 3. Initial applicability.

(1) The treatment of section ^S 709.03 (form) C. 25m. ^{and 709.033 (form) C. 17m.} of the statutes first ^S ^{STEP} applies ^{apply} to real estate condition reports that are furnished on the effective date of this subsection.

(END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1550/lins
FFK:.....

INS 2-1

SECTION 1. 709.033 (form) C. 17m. of the statutes is created to read:

709.033 (form)

C. 17m. I am aware of a contract, or an option to con-
tract, that allows a person to mine frac sand
on a neighboring property.

END INS 2-1

Basford, Sarah

From: Nilsestuen, Joel
Sent: Monday, April 08, 2013 11:02 AM
To: LRB.Legal
Subject: Draft Review: LRB -1550/1 Topic: Add frac sanding contracts to real estate condition reports

Please Jacket LRB -1550/1 for the SENATE.